Agenda item: 01

Staff person handling: Timothy Reardon, Chief Counsel, for Shane Mintz, Real Estate Services Section Manager – Right-of-Way Bureau

Date/location: July 28, 2005 in Baker, Montana

Item: **Abandonment of a portion of Danford Drive, Yellowstone County**

Background

By petition dated August 11, 2003, [Exhibit 001] owners of property on Danford Drive in Yellowstone County, asked MDT to transfer to them excess right-of-way as shown on the Exhibit prepared by MDT Right-of-Way staff, [Exhibit 002]. The owners claimed that they had been paying taxes on the property for many years and that mortgage lenders were questioning their ownership. The interests of MDT must not have shown on the title commitments when the individuals purchased the land. The statute of limitations has passed for most owners to pursue an action against their title companies. Some tax money was returned to some of the owners by Yellowstone County, but not the entire amount that had been paid.

Prior to the 2005 legislature, there was no way for MDT to abandon right-of-way to adjacent landowners. It had to be sold or exchanged for fair market value. It was obvious to the MDT's Real Estate Services Section (RESS) that the cost of disposal of the land by sale or exchange would exceed the value of the land [Exhibit 004].

A public meeting was held on September 9, 2004. State Representative Penny Morgan (H.D. 57) indicated a willingness to carry legislation that would allow MDT to abandon excess right-of-way under certain circumstances. The 2005 legislature passed HB 492, which has been enacted as Ch. 226, L. 2005, and is provisionally codified as Mont. Code Ann. § 60-4-213 thru 218. [Exhibit 008].

Now the landowners want MDT to follow through with the process and abandon the excess right-of-way.

Summary

MDT Chief Counsel Tim Reardon will present to the commission at their July 28, 2005 meeting in Baker the following documentation:

- ◇ The landowner petition [Exhibit 001].
- ◇ The Exhibit prepared by MDT Right-of-Way, setting forth the boundaries of the subject property and identifying the remainder, [Exhibit 002].
- ◇ A statement of the MDT Chief Engineer, indicating that the subject property is no longer required for highway purposes [Exhibit 003].
- ◇ Documents showing that the cost of disposing of the subject property by sale or exchange exceeds the fair market value of the subject property, [Exhibit 004].
- ◇ A categorical exclusion pursuant to MEPA and NEPA [Exhibit 005]

- ◇ A proposed Order of Abandonment [Exhibit 006]
- ◇ Documentation from Federal Highway Administration (FHWA), indicating that FHWA will not seek reimbursement of federal funds [Exhibit 007].
- ◇ Sec. 1 through 6, Ch. 226, L. 2005, (provisionally codified as Mont. Code Ann. § 60-4-213 thru 218) [Exhibit 008].

The commission will be asked to make the decision to abandon the property. If the commission agrees with staff recommendations to abandon the property, they will be asked to appoint Shane Mintz, RESS Supervisor, as an agent of the commission to complete the following procedures:

- ◇ Write a letter to the county commissioners, notifying them of the commission's intent to abandon the subject property.
- ◇ Schedule a time and place for a public hearing.
- ◇ Publish notice of the proposed abandonment and public hearing for three successive weeks in the *Billings Gazette*.
- ◇ Conduct the public hearing;
- ◇ Report back to the commission the results of the public hearing.

The report will be presented to the commission at the meeting on September 7-8, 2005, and we anticipate the commission will execute the Order of Abandonment.

Staff recommendations
Staff recommends the commission abandon the designated portion of Danford Drive in Yellowstone County.

Notes/discussion

Commission action

Agenda item: 02

Staff person handling: Jim Lynch

Date/location: July 28, 2005 in Baker, MT

Item: **Morning Star Drive project**
CM 44 (14) Off-system paving project - Control No. 4647

Background
In 2000, the Northern Cheyenne Tribe submitted a request for Montana Air & Congestion Initiative (MACI) funding for a project to pave an unpaved segment of Morning Star Drive in Lame Deer. The project was eligible for MACI funding because the Environmental Protection Agency has designated Lame Deer as a PM10 nonattainment area.

Following approval of approximately $500,000 for the proposed Morning Star Drive project, MDT and the Northern Cheyenne Tribe developed and signed a Project Development, Construction, and Maintenance Agreement that committed MDT to design the project and delayed the decision on construction responsibility until after the project was developed. An agreement has not been concluded on construction responsibility.

In August of 2004, the Transportation Commission voted that the project should be let to competitive bid, versus BIA force account. The project has not moved forward since then because the involved parties have not signed the project-specific agreement.

Staff recommendations
Staff recommendations will be formulated at the meeting in response to the Northern Cheyenne Tribe's request.

Notes/discussion

Commission action

Agenda item: 03

Staff person handling: Sandra Straehl

Date/location: July 28, 2005 in Baker, MT

Item: **Orange Street Bridge in Missoula – deck sealant project**

Background

The local officials of the Missoula Transportation Policy Coordinating Committee (TPCC) and the Transportation Technical Advisory Committee (TTAC) have nominated a bridge deck seal project on the Urban Highway System using Surface Transportation Program Urban (STPU) funding. Missoula receives an annual allocation of approximately $1.8 million and has a current balance of approximately $1.6 million.

The project is located on Orange Street (U-8107) at RP 1.54 in Missoula. The purpose of this project is to extend the useful life of the concrete bridge deck by applying High Molecular Weight Methacrylate (HMWM) sealant on the bridge deck and concrete approach slabs. Other work will include epoxy pavement markings on the bridge deck and approach slabs. The project is estimated at $60,000 to be funded with STPU funds.

Summary

The Missoula TPCC and TTAC have approved this project in their 2005-2007 Transportation Improvement Program (TIP).

Staff recommendations

Staff recommends the commission approve the addition of this project to the program.

Notes/discussion

Commission action

Agenda item: 04

Staff person handling: Sandra Straehl

Date/location: July 28, 2005 in Baker, MT

Item: **Wetland projects**

Background

1. Upper Clark Fork Wetland Mitigation Bank
MDT is currently working with the Nevada Spring Creek Partners, LLC to purchase 20 acres of wetland mitigation credits from the recently established Upper Clark Fork Mitigation Bank near the town of Helmville in Powell County. This proposed mitigation bank is located 2 miles north of Helmville near the Montana Highway 141 corridor within the Upper Clark's Fork River Basin Watershed. The proposed wetland mitigation bank will provide mitigation credits for wetland impacts within the Upper and Lower Clark Fork River Basin Watersheds.

The cost estimate for this project is $410,000: $400,000 for the purchase of 20 wetland credit acres ($20,000 per acre) and $10,000 for PE work done by MDT staff, which includes environmental, legal and right of way. Nevada Spring Creek Partners, LLC will be responsible for all aspects of the wetland mitigation project including such activities as: development of a wetland design, construction of the wetland site, obtaining Corps approval for the mitigation crediting from the site and long-term maintenance and management of the wetland easement area.

The Upper Clark Fork Wetland Mitigation Project will assist in mitigating the projects shown below. The total amount of acres for these projects is 13.1 leaving a 6.9-acre surplus that can be used within the watersheds listed above.

UP#	Project Name	Estimated # Acres to be Mitigated	Fund Prefix
4291	Butte Area Structures	1.0 *	IM
4296	Anaconda Intch. Rest Area	0.5 *	IM
4571	Nissler Interchange	1.0 *	IM
4792	Clark Fork – 2 km E of Warm Springs	5.0 *	BR
4919	Dewey Blvd. Extension	3.0 *	CM
4468	Powell County Line – N	2.6 *	STPS

**The actual number of acres needed for mitigation will vary depending on when the project is developed in comparison to when the highway projects are let to construction and how closely the wetlands developed as mitigation resemble the wetlands that are impacted.*

2. DH Ranch Wetland Mitigation

MDT is currently working with the DH Ranch and DHR, LLC to purchase 17 acres of completed wetland mitigation credits from a proposed wetland mitigation project located along the Clark's Fork of the Yellowstone River, approximately 2 miles north of the town of Edgar. The purpose of this mitigation project is to provide mitigation credits solely for wetland impacts associated with transportation projects in this portion of the Upper Yellowstone River Basin Watershed in the Billings District.

The cost estimate for this project is $304,200: $294,200 for the purchase of 17 wetland credit acres ($17,306 per acre) and $10,000 for PE work done by MDT staff, which includes environmental, legal and right of Way. The DH Ranch and their contractor will be responsible for all aspects of the wetland mitigation project including such activities as: development of a wetland design, construction of the wetland site, obtaining Corps approval for the mitigation crediting from the site and long-term maintenance and management of the wetland easement area.

The DH Ranch Project will assist in mitigating impacts associated with several projects in the Billings District. Projects that may be mitigated by the DH Ranch Project include:

UP#	Project Name	Estimated # Acres to be Mitigated	Fund Prefix
4375	Red Lodge Corridor Study	25 + *	STPP
4070	Rockvale – Laurel EIS	30 – 40 *	NH
4071	Roscoe – Jct. 419	15 *	STPP

*The actual number of acres needed for mitigation will vary depending on when the project is developed in comparison to when the highway projects are let to construction and how closely the wetlands developed as mitigation resemble the wetlands that are impacted.

Summary

It is important for MDT to pursue wetland projects ahead of roadway projects. Basically, if the mitigation is not in place at the time of the project construction, the ratio for mitigating increases. There are a number of other criteria that affect mitigation ratios, but having mitigation in place prior to impact will be required in almost all cases from this point forward.

Staff recommendations

Staff recommends the commission approve the above projects to the program.

Notes/discussion

Commission action

Agenda item: 05

Staff person handling: Sandra Straehl

Date/location: July 28, 2005 in Baker, MT

Item: **Culvert repair study on MT 200 near Noxon (Sanders County)**

Background
MDT is requesting a preliminary engineering study of failing culverts on MT Highway Route 200 (P-6) at RP 5.0 and RP 16.0 near Noxon. A project is proposed with phase 1 activities including a preliminary engineering study of the culvert locations to determine the proper course of action. Phase 2 would include design and construction activities for a project encompassing both culvert locations. The cost estimate for phase 1 is $62,500; this phase will be financed via Primary (STPP) funds. Cost estimates for phase 2 will be determined upon completion of phase 1, at which time they will be presented to the commission for approval.

Summary
Completion of a preliminary engineering study (phase 1) will determine the design and construction (phase 2) activities necessary to compensate for the culvert failures.

Staff recommendations
Staff recommends the commission approve the above project to the program utilizing STPP funds.

Notes/discussion

Commission action

Agenda item: 06

Staff person handling: Sandra Straehl

Date/location: July 28, 2005 in Baker, MT

Item: **Enhancement projects on MDT right-of-way**

Background
The commission approves Community Transportation Enhancement Program (CTEP) projects that are located on or adjacent to state designated streets and roads. The following CTEP projects are funded with the enhancement set-aside of the Surface Transportation Program that is allocated by population to Montana local and tribal governments. The communities select projects for funding with their allocations and provide required non-federal match. The program is based on an agreement between MDT and Montana local and tribal governments.

Projects proposed for programming are shown below:

1. City of Bozeman project in Bozeman
College & Huffine Path – Bozeman
This enhancement project will design and construct ten foot shared use path along the south side of College Avenue/Huffine Road from 11th Avenue to Fowler Avenue and on the north side of Huffine Road from Fowler Avenue to Ferguson Avenue in Bozeman for an estimated project cost of $447,029.

With the addition of the College & Huffine Path - Bozeman project, the City of Bozeman will have obligated $1,588,204 of the $1,710,685 made available from CTEP.

2. City of Shelby project in Shelby
Oilfield Avenue Path – Shelby
This enhancement project will design and construct an asphalt surface shared use path approximately one mile in length. The project is located in Shelby on the east side of Viaduct Avenue and Oilfield Avenue between Main Street (N-1) running northward approximately one mile. Estimated project cost is $43,878.

With the addition of the Oilfield Avenue path – Shelby, project the City of Shelby will have obligated all of the $223,718 made available from CTEP.

3. Powder River County project in Broadus
Landscaping – Broadus
This enhancement project will construct a landscaping project that includes: an underground sprinkler system, a welcome sign, sculptures, trees, shrubs, other plantings, tree protectors,

and lighting. The project is located on the south side of Holt Street (N-23/US2), and at the intersection of Holt Street and Park Avenue in Broadus. Estimated project cost is $16,500.

With the addition of the Landscaping – Broadus project, Powder River County will have obligated $128,724 of the $141,841 made available from CTEP.

4. City of Missoula project in Missoula

Sidewalks & Landscaping – Missoula

This enhancement project is for the construction of approximately 9500 SF of five foot wide sidewalks renovate disturbed landscaping at various location within the area bounded by Mount Avenue (U-8116) to the south, Higgins Avenue (U-8111) to the east, and Brooks Street (P-7) to the northwest. Estimated project cost is $46,200.

With the addition of the Sidewalks & Landscaping - Missoula project, the City of Missoula will have obligated $3,004,365 of the $3,330,035 made available from CTEP.

5. Butte-Silver Bow project in Butte

Welcome Signs – Butte

This enhancement project will design and construct welcome signs and landscaping at the four Butte interchanges. Estimated project cost is $76,700.

With the addition of the Welcome Signs - Butte project, Butte-Silver Bow will have obligated $2,271,359 of the $2,368798 made available from CTEP.

Summary

All work will be in accordance with current design standards and ADA requirements.

Staff recommendations

Staff recommends the commission approve the addition of these projects to the program.

Notes/discussion

Commission action

Agenda item: 07

Staff person handling: Sandra Straehl

Date/location: July 28, 2005 in Baker, MT

Item: **Lane reconfiguration and bicycle/pedestrian enhancements on Broadway Street in Missoula**

Background
The Transportation Commission added this project to the program on July 6, 2000 as a pedestrian access study to determine a suitable lane configuration for pedestrian safety. The study and scope of work report has since been completed and a construction project has been recommended. The project consists of revising the lane configuration from four lanes to three lanes through striping and signing. Improvements will also include specific bicycle and pedestrian crossing enhancements at the California Street/Toole Street and the Burton Street intersections including raised median, illumination, pavement marking, striping and signing at an estimated cost of $313,500. Construction costs will be covered through flexible CMAQ funding. The project is located on State Urban Route 8128/Broadway Street beginning at Russell Street and extending east to approximately one block beyond Orange Street.

Summary
This project was approved locally by the Transportation Policy Coordinating Committee (TPCC) and the Transportation Technical Advisory Committee (TTAC) and included in the 2005-2007 Missoula Transportation Improvement Program (TIP).

Staff recommendations
Staff recommends the commission approve the addition of the subject construction project to the program, utilizing CMAQ funds.

Notes/discussion

Commission action

Agenda item: 08

Staff person handling: Sandra Straehl

Date/location: July 28, 2005 in Baker, MT

Item: **Increased project scope and cost**
NH 11-1(43)43 – *Turn bay – 13 km South of Livingston*

Background
The following project is being presented to the commission consistent with the Guidelines for Project Cost Changes adopted at the July 17, 2003 meeting.

The commission previously approved this project at their August 2, 2001 meeting. The proposed project will construct opposing left turn bays on NH-11 (US 89) at RP 43.485, Pine Creek Road. The project was originally nominated at $195,000, the updated cost estimates now places the cost at $310,750, an increase of $115,750.

The apparent cause of the cost increase is a result of an additional left turn lane for northbound traffic. Small projects such as this tend to experience higher costs, consequently the cost was also increased to reflect anticipated bids. And lastly, the increase in oil prices can be identified as a cause for the cost increase. The additional cost will be funded from the National Highway (NH) for the Butte District. The funding balance for the NH system in the Butte District is solvent enough to absorb this cost increase without affecting tentative construction dates of other projects with in their NH program.

Summary
Due to the expansion of the scope of work and the resulting cost increase, this project need is being brought before the commission for consideration and action.

Staff recommendations
Staff recommends the commission approve the expanded scope of work and resulting cost increase for NH 11-1(43)43 at the current estimated cost of $310,750.

Notes/discussion

Commission action

Agenda item: 9

Staff person handling: Loran Frazier

Date/location: July 28, 2005 in Baker, MT

Item: **Speed limit studies**

Background
Staff has performed traffic and engineering studies for the following:

a. Old US 10 (X 31011) – Mineral County (east and west of the I 90 Haugan interchange)
b. US 12 – Miles City (Custer County)
c. MT 117 – Community of Fort Peck (Valley County)

Please see the attachments for more details.

Summary
The appropriate local government concurs with the recommendations put forth by MDT.

Staff recommendations
Staff recommends the commission approve the specials speed zones as proposed.

Notes/discussion

Commission action

Montana Department of Transportation
Helena, Montana 59620

Memorandum

To: Loran Frazier, P.E., Chief Engineer
Highways and Engineering Division

From: Duane E. Williams, P.E. – Traffic & Safety Engineer

Date: July 7, 2005

Subject: Proposed Interim Speed Limits For Commission Action
Old US 10 Corridor – Mineral County

The following recommendations for interim speed limits along the Old US 10 corridor in Mineral County are being submitted for review and approval by the Montana Transportation Commission. At the request of Mineral County Commissioners the Missoula District office conducted a windshield surveys of the following (off-system) X-routes that make up the Old US 10 corridor. County officials were in attendance during the survey and also concur with the proposed interim speed limit recommendations. Their letter of support is attached. Traffic Engineering staff will be following up with a formal investigation to evaluate the interim speed limits at a future date.

The Old US 10 corridor is curvilinear in character both horizontally and vertically, as the route follows the contours of the terrain and the winding alignment of the St. Regis and Clark Fork Rivers. It is a two lane paved roadway with a typical surface width ranging between 20 feet to 24 feet. Roadway condition varies in quality from good in most areas to showing signs of breaking up in others. Features within the corridor include access to many local and forest service routes as well as numerous residences and a few businesses.

From the windshield survey it was determined that the overall travel speeds are governed by the roadway's alignment features and that the statutory 70 mph speed limit was in excess of the typical flow of the traffic stream over significant distances within the corridor. In addition to the general nature of the route it was also determined that the northwest end of the corridor had special traffic patterns associated with the operation of the Haugan Interchange and a local business, the Lincoln Silver Dollar.

X-31011 (entire route)

X-31011 runs east and west of the Interstate 90 Haugan Interchange.

A 45 mph speed limit beginning at the west end of the route and continuing east to the west end of the Lincoln Silver Dollar turnout, an approximate distance of 1.0 mile.

A 35 mph speed limit beginning at the west end of the Lincoln Silver Dollar turnout and continuing east to the Interstate 90 Haugan Interchange, an approximate distance of 0.4-mile.

A 60 mph speed limit beginning just east of the Interstate 90 Haugan Interchange and continuing east to the end of the route, an approximate distance of 4.1 miles.

X-31203 (entire route)

X-31203 is located between the communities of St. Regis and Superior.

A 60 mph speed limit beginning at the Interstate 90 Slow Way Interchange and continuing east to the end of the route just beyond the Interstate 90 Dry Creek Interchange, an approximate distance of 5.5 miles.

X-31070 (entire route except w/ Superior)

X-31070 begins in Superior and continues east.

A 60 mph speed limit beginning at the end 45 mph speed zone for the community of Superior and continuing east to the Interstate 90 Tarkio Interchange, an approximate distance of 14.3 miles.

DEW:DPD:DRB:TRF:mineral_interim

cc: D.E. Williams
D.R. Bailey

Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

Memorandum

To: Loran Frazier, P.E. – Chief Engineer
Highways and Engineering Division

From: Duane E. Williams, P.E. – Traffic & Safety Engineer

Date: June 28, 2005

Subject: Speed Limit Recommendations to the Montana Transportation Commission
US 12 – Miles City

- Sanjel Inc. a manufacturing –supply business for the oil industry, has expanded its operation and employs between 85 – 100 employees on the outskirts of Miles City. Plant facilities are located on both sides of US 12 1,800 feet east of the intersection with Valley Drive. As part of daily operations employees must cross US 12 on an hourly basis**.** In response to the increase in both vehicular and pedestrian activity generated by Sanjel Inc. and safety concerns voiced by company officials, Custer County officials requested an engineering and traffic investigation.

- The study area began at the intersection with Valley Drive and continued east to the Interstate 94 Baker Interchange, an approximate distance of 1.7 miles. This segment of US 12 was last improved in 1982. This two-lane roadway is generally straight and flat with an average annual daily traffic volume of 1250. The accident rate is 0.94 accidents per million vehicle miles traveled. This is below the statewide average for rural state primary routes. In addition to the Sanjel Inc. plant the adjacent side culture is made up of scattered commercial and residential development intermixed with agricultural land.

- From the traffic data (vehicular and pedestrian) gathered in this investigation we recommend both a reduction in the statutory 70 mph speed limit and a pedestrian crosswalk for the activity associated with Sanjel Inc. The Glendive District office presented the following speed limit recommendation to Custer County officials for review and comment. They are in agreement with the proposed 45 mph and 55 mph speed limits. Their comments are attached. The Glendive office is in the process of having the pedestrian crosswalk signed and marked.

- **A 45 mph speed limit beginning at station 3+70, project FAP 86(15) (the intersection with Valley Drive) and continuing east to station 24+00 (250 feet from Sanjel Inc.), an approximate distance of 0.4 of a mile.**

- **A 55 mph speed limit beginning at station 24+00 and continuing east to station 93+00 (700 feet east of the eastbound I-94 interchange ramps), an approximate distance of 1.3 miles.**

Report Submitted to Custer County

At the request of Custer County a speed limit investigation as well as a pedestrian crossing study was conducted on US 12, Miles City East. County officials would like the 70 mph speed limit reduced to 45 mph along the portion of US 12 that passes by Sanjel (USA) Inc. We have no record of a previous study being conducted in this area. While conducting this study, it was discovered that the portion of US 12 from the intersection with Valley Drive to just west of Sanjel Inc. has an unofficial 45 mph speed limit posted. The remainder of the study area, from the end of the 45 mph zone to east of the I-94 interchange, has the statutory 70 mph speed limit in operation.

The Sanjel Inc. business is unique in its operation and location in this area. The business is located on both sides of US 12 1,800 feet east of the intersection with Valley Drive. As part of their business operations employees must cross US 12. Sanjel Inc. sets back from the roadway and is located in an open environment with good intersection and stopping sight distance. District staff have met with Sanjel Inc. on two separate occasions and discussed the business's operations. During these meetings it was discovered that Sanjel Inc. employs approximately 85 to 100 employees and is in operation 24-hours a day.

The studied portion of US 12 was reconstructed in 1942 with improvements made in 1982 under F 2-1(4). The roadway's typical section consists of two 12-foot travel lanes with 1-foot shoulders in each direction. The roadway alignment is both straight and flat. The alignment changes at each end of the studied area. There is a slight horizontal curve at the intersection with Valley Drive. Improvements to this intersection were completed in 1991 under Federal Aid Project HES 2-1(14) 4. At the interchange with I-94, a there is a change in the vertical alignment with a 4% grade. Improvements to the interchange were made in 1989 under RTF 2-1(11)16. Today, this portion of US 12 has been developed with various businesses intermittently spaced along the roadway. The average annual daily traffic volume for the area is 1300.

Accident History

The accident history was reviewed for a three-year period from January 01, 2002 to December 31, 2005. During this time period there were 2 accidents reported within the study area. The accident rate is 0.94 accidents per million vehicle miles traveled. This is below the statewide average of 1.49 accidents per million vehicle miles traveled for state primary routes.

The accident experience consisted of a single vehicle accident near the I-94 interchange. Contributing factors included icy conditions, low light, and alcohol. The second accident was a right angle collision near the Sanjel Inc. location. This accident was during the daytime with clear and dry conditions. The accident involved a northbound vehicle striking a westbound vehicle.

Within the last three years there are no definable accident trends. The study area is functioning with a successful safety record.

Travel Speeds

Vehicular travel speeds were sampled at seven locations beginning at the 45 mph to 70 mph speed limit transition and continuing east to MM 6.25 just east of the I-94 interchange. The following table lists the 85^{th} percentile speeds and the pace of the traffic stream by location.

Location	85th percentile Speed	Pace of Traffic Stream & Percent
70 mph to 45 mph Transition	Westbound 50 mph Eastbound 51 mph	35 mph – 45 mph 42% 38 mph – 48 mph 40%
East of Sanjel Inc. (70 mph zone)	Westbound 54 mph Eastbound 54 mph	41 mph – 51 mph 33% 38 mph – 48 mph 39%
Near Hartman (70 mph zone)	Westbound 60 mph Eastbound 60 mph	43 mph – 53 mph 41% 43 mph – 53 mph 41%
Milepost 5.62 (70 mph zone)	Westbound 62 mph Eastbound 62 mph	46 mph – 56 mph 35% 49 mph – 59 mph 40%
Near RV Park (70 mph zone)	Westbound 61 mph Eastbound 60 mph	46 mph – 56 mph 37% 49 mph – 59 mph 40%
Milepost 6.06 (70 mph zone)	Westbound 56 mph Eastbound 56 mph	26 mph – 36 mph 28% 20 mph – 30 mph 28%
Milepost 6.30 (70 mph zone)	Westbound 65 mph Eastbound 57 mph	52 mph – 62 mph 40% 34 mph – 44 mph 50%

As evidenced by the speed statistics this portion of US 12 is functioning with travel speeds that are well below the statutory 70 mph speed limit. The 85th percentile speeds and the pace of the traffic stream associated by the activity generated by Sanjel Inc. and its orientation to the stop sign controlled intersection with Valley Drive distinguish the first segment from the remainder of the study area. The 85th percentile speeds reach a high of 62 mph for a short distance within in the central portion of the study area and then drop to 56 mph within the interchange area. Within the interchange area there is a large variation between the 85th percentile speeds and the pace of the traffic stream. This is specific to the operation of the interchange versus the flow of through moving traffic. The interchange is influencing the travel speeds of through moving motorists.

Pedestrian Activity

The pedestrian activity in front of Sanjel Inc. was observed on (May 11, 2005). The following table lists the hourly pedestrian volumes.

Time	Total Pedestrian Crossing Either Direction
7:00AM – 8:00AM	23
8:00AM – 9:00AM	34
9:00AM – 10:00AM	27
11:00AM – 12:00PM	24
12:00PM – 1:00PM	5
1:00PM – 2:00PM	21
3:00PM – 4:00PM	22
4:00PM – 5:00PM	10

Pedestrian crossings were consistent throughout the day averaging 21 crossing per hour. There were no vehicle / pedestrian conflicts observed during this investigation.

The pedestrian activity is concentrated at and specific to the operation of Sanjel Inc. The volume and the duration of this activity support the need for pedestrian warning signs and a designated crosswalk.

Conclusions and Recommendations

It is our conclusion that there is evidence to support a reduction in the statutory 70 mph speed limit from the intersection with Valley Drive to and encompassing the I-94 interchange area. Through observation, it can be seen that traffic is operating at a level much lower than that condition typically associated with statutory 70 mph speed limit. In addition to the travel speeds there is adjacent and nearby development, pedestrian traffic and traffic patterns that distinguish the study area from the typical rural condition.

There are variations in both the 85th percentile speeds and the pace of the traffic stream in relationship to the presence of adjacent roadside development, pedestrian activity and the traffic patterns associated with the interchange. Based on the 85th percentile speeds only a 50 mph – 60 mph speed limit configuration would be desirable for this portion of US 12. However, at every location sampled in one direction or another the upper limit of the pace was significantly below the 85th percentile speed. This observation in conjunction with the variations in the travel speeds associated with the key features located on each end of the study area support a 45 mph – 55 mph speed limit configuration as being more representative of the special operational environment. In taking that information into account we have arrived at the following speed limit recommendation for US 12. To carry a proposal for a 45 mph - 55 mph speed limit configuration to the Montana Transportation Commission we will need the written support of local officials to do so.

A 45 mph speed limit beginning at station 3+70, project FAP 86(15) (the intersection with Valley Drive) and continuing east to station 24+00 (250 feet from Sanjel Inc.), an approximate distance of 0.4 of a mile.

A 55 mph speed limit beginning at station 24+00 and continuing east to station 93+00 (700 feet east of the eastbound I-94 interchange ramps), an approximate distance of 1.3 miles.

In addition to the proposed speed limit recommendations we also recommend a signed and marked pedestrian crosswalk at station 21+25 for the concentration of pedestrian activity in front of Sanjel Inc.

attachments

DEW:DRB: D.E. Williams
TRF:us12m D.R. Bailey
ilescity.rpt

Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001

Memorandum

To: Loran Frazier, P.E. Chief Engineer
Highways and Engineering Division

From: Duane E. Williams, P.E. - Traffic & Safety Engineer

Date: July 8, 2005

Subject: Speed Limit Recommendation For Commission Action
MT 117 – Community of Fort Peck

- With the support of local officials the Glendive District office requested a speed limit investigation on MT 117. The purpose of this investigation was to evaluate the posted 45 mph and 35 mph speed limits within the study area and to establish an official speed limit configuration for the community of Fort Peck. There are no approved speed limits on record for this portion of MT 117.

- This investigation began at the intersection with MT 24 and continued east and then north winding along the west side of Fort Peck and through the area locally known as Park Grove. The roadway consists two 12-foot travel lanes in each direction. Average annual daily traffic volume is 630. There were three accidents reported within the study area. The accident rate is 1.43 accidents per million vehicle miles traveled. In addition to adjacent and nearby development, this area is also known for frequently having deer and other wild life along the roadway

- The results of our investigation indicated that a 50 mph – 40 mph – 50 mph speed limit configuration would be more representative of traffic operation within the study area. The following proposed speed limits were presented to local officials for comment. Valley County concurs with the following speed limit configuration. Their comments are attached.

A 50 mph speed limit beginning at the intersection with MT 24 and continuing east to milepost 1.0, a distance of one mile.

A 40 mph speed limit beginning at milepost 1.0 and continuing to the station 42+00, project FR 17-1(1) (the north edge of Park Grove), an approximate distance of 2.84 miles.

A 50 mph speed limit beginning at station 42+00, project FR 17-1(1) and continuing north to 52+00, an approximate distance of 1,000 feet.

Report Submitted to Local Officials

The posted speed limits on the portion of MT117 passing through the community of Fort Peck have been in place for quite some time. However, we do not have any record of them ever being formally established by either the Montana Highway Patrol Board or the Montana Transportation Commission. It is believed that the Army Corp of Engineers may have originally installed them.

The Glendive District office requested this investigation with the intent of evaluating the existing speed limit configuration in relationship to the operational characteristics of the roadway and the surrounding environment in an effort to either validate and/or establish an official speed limit configuration for the area. In the past the Department has received requests to replace or install additional speed limit signs within the study area. Without having the proper documentation on file the Department does not have the authority to post a special speed limit. Special speed limits on state primary routes fall under the authority of the Montana Transportation Commission.

MT 117 begins at an intersection with MT 24 east of the Fort Peck Dam. The route continues east along a tangent segment to an intersection with Milk River Drive. This portion of the study area has a posted speed limit of 45 mph. Just prior to the intersection with Milk River Drive the speed limit drops to 35 mph as the roadway curves sharply to the north and continues along the west side of the community of Fort Peck. This segment of the study area is curvilinear in character as it follows the contours of the terrain and descends down to the bottom of the dam before curving to the east and ending at a stop controlled intersection with Yellowstone Road. In addition to the curvilinear nature and the change in elevation there is also some scattered development along the roadway. Deer and other wildlife are also often observed within this segment.

At the intersection with Yellowstone Road the terrain is flat. The roadway alignment turns north and continues across a bridge and through the community of Park Grove. This segment of the study area also has a posted speed limit of 35 mph. There is nearby development along the first portion of this segment with adjacent residential development and two businesses located next to the roadway in Park Grove. At the north end of Park Grove the speed limit increases to 70 mph. At this point the adjacent roadside culture also changes back to rural.

The average annual daily traffic volume is 630. The roadway has a 24-foot wide surface consisting of two 12-foot travel lanes in each direction. The only construction records we have on this portion of MT 117 were from the road-log indicating that the study area was reconstructed in 1969. It is our understanding that this portion of MT 117 was originally constructed and under the jurisdiction of the Army Corp of Engineers. The Army Corp of Engineers should be included within effort.

Accident History

The accident history was reviewed for a three-year period from October 1, 2002 to September 30, 2004. During this period there were three accidents reported within the study area. The accident rate is 1.43 accidents per million vehicle miles traveled. This is above the statewide average of 1.32 accidents per million vehicle miles traveled for rural state primary routes.

The accident experience consisted of two single vehicle off-road accidents (milepost 1.2 and 2.2) and a rearend accident at milepost 3.3. There were no definable trends that point to specific location or correctable condition. The accident rate of 1.43 accidents per million vehicle miles traveled is low for a semi-developed environment and the associated traffic patterns.

Travel Speeds

Vehicular travel speeds were sampled at 12 locations to develop a speed profile of the study area. The following table lists the speed statistics by location beginning near the intersection with MT 24 and continuing east and then north along west side of the Community of Fort Peck and through Park Grove.

Location	85th Percentile Speed	Pace of Traffic Stream & Percent
45 mph Speed Limit Sign	Northbound 54 mph Southbound 52 mph	41 mph – 51 mph (40%) 38 mph – 48 mph (45%)
Milepost 1.0 45 mph / 35 mph	Northbound 54 mph Southbound 49 mph	41 mph – 51 mph (50%) 38 mph – 48 mph (63%)
Milepost 1.3 35 mph zone	Northbound 45 mph Southbound 44 mph	32 mph – 42 mph (64%) 32 mph – 42 mph (60%)
Big Horn St. 35 mph zone	Northbound 38 mph Southbound 40 mph	29 mph – 39 mph (63%) 29 mph – 39 mph (53%)
Milepost 2.0 35 mph zone	Northbound 45 mph Southbound 45 mph	32 mph – 42 mph (52%) 32 mph – 42 mph (54%)
Milepost 2.4 35 mph zone	Northbound 39 mph Southbound 41 mph	29 mph – 39 mph (62%) 32 mph – 42 mph (60%)
500’ North of Yellowstone Road	Northbound 43 mph Southbound 42 mph	32 mph – 42 mph (57%) 32 mph – 42 mph (57%)
Milepost 3.0 35 mph zone	Northbound 45 mph Southbound 45 mph	32 mph – 42 mph (57%) 32 mph – 42 mph (53%)
South End of Park Grove	Northbound 41 mph Southbound 43 mph	26 mph – 36 mph (55%) 29 mph – 39 mph (52%)
Near Park Grove Store	Northbound 45 mph Southbound 45 mph	34 mph – 44 mph (51%) 28 mph – 38 mph (46%)
Location	85th Percentile Speed	Pace of Traffic Stream & Percent
North End of Park Grove	Northbound 50 mph Southbound 52 mph	37 mph – 47 mph (59%) 37 mph – 47 mph (53%)

Milepost 4.2	Northbound 65 mph	49 mph – 59 mph (45%)
70 mph Zone	Southbound 71 mph	55 mph – 65 mph (37%)

The first portion of the study area having a posted speed limit of 45 mph is operating with 85th percentile speeds ranging between 49 mph and 54 mph. The pace of the traffic stream was somewhat lower in that it clearly supports a 50 mph speed limit for the tangent segment from the intersection with MT 24 to the intersection with Milk River Road.

At the intersection with Milk River Road there is a reduction in the travel speeds that continues throughout the remainder of the study area. Both the 85th percentile speeds and the upper limit of the pace typically varied between 40 mph and 45 mph with the exception of the north edge of Park Grove, which was slightly higher. Just north of Park Grove the travel speeds increase to a level that is consistent with the statutory 70 mph speed limit.

Conclusions and Recommendations

The results of this investigation indicate that the posted 45 mph and 35 mph speed limits are not representative of the 85th percentile speeds and the upper limit of the pace within the boundaries of each zone. The 85th percentile speed and the pace of the traffic stream are the two key indicators used in which to arrive at an appropriate speed limit for traffic operation.

The first segment of the study area has the most favorable roadway geometrics and no adjacent roadside development. The travel speeds are logically higher within this segment than those observed within the remainder of the study area. Based on the 85th percentile speeds and the pace at both ends of this segment we recommend a 50 mph speed limit. Approximately 50 percent of the traffic stream is exceeding the posted 45 mph speed limit.

North of the intersection with Milk River Road there is a definite reduction in the travel speeds associated with the changes in adjacent side culture and the roadway alignment. The 85th percentile speeds and the upper limit of the pace typically range between 40 mph and 45 mph except at the north end of Park Grove. As a whole the speed statistics within the 35 mph speed zone do not clearly support one speed limit over another (i.e. 40 mph vs 45 mph). However, both the 85th percentile speeds and the upper limit of the pace are consistently above 35 mph. Since, the pace of the traffic stream is more consistent from one location to another, it is our conclusion that rounding down to 40 mph would be the appropriate choice. This will also maintain the preferred 10 mph incremental change in special speed limits.

Based on the travel speeds in relationship to the features identified within the study area we recommend the following 50 mph and 40 mph speed limits with a short 50 mph speed zone for the transitional area on the north end of Park Grove. Basically, this will result in a 5 mph increase in the posted speed limits. Increasing the speed limits by 5 mph, may appear to be illogical to some and may be perceived as an attempt to increase the travel speeds in the area. However, in making the following recommendation it is our responsibility to carry forward with a recommendation that is in conformance with nationally accepted engineering practices used in setting speed limits. In proposing the following speed limits we have taken into account the variations in the travel speeds and have rounded down to the nearest 5 mph increment that can be supported by actual traffic operation.

A 50 mph speed limit beginning at the intersection with MT 24 and continuing east to milepost 1.0, a distance of one mile.

A 40 mph speed limit beginning at milepost 1.0 and continuing to the station 42+00, project FR 17-1(1) (the north edge of Park Grove), an approximate distance of 2.84 miles.

A 50 mph speed limit beginning at station 42+00, project FR 17-1(1) and continuing north to 52+00, an approximate distance of 1,000 feet.

Curve warning signs (W1-2) need to be installed for the horizontal curve beginning at milepost 1.1. This curve should be ball-banked to determine if advisory speed plates are needed and to stake the appropriate sign placement for maintenance.

DEW:DRB:TRF:mt117rpt

attachments

copies: D.E. Williams
D.R. Bailey

Agenda item: 10

Staff person handling: Loran Frazier

Date/location: July 28, 2005 in Baker, MT

Item: **Letting dates for 2006**

Background
The commission has statutory authority to let projects to contract (MCA 60-2-111). The department proposed the following letting dates for 2006:

January 26
February 23
March 30
April 27
May 25
June 22
July 20
August 17
September 21
November 2
December 7

Staff recommendations
Staff recommends the commission approve the proposed letting dates for 2006.

Notes/discussion

Commission action

Agenda item: 11

Staff person handling: Loran Frazier

Date/location: July 28, 2005 in Baker, MT

Item: **Letting lists**

Background
Staff will distribute the most current lists of upcoming projects slated for advertisement and bid letting. This list includes the projects for bid letting in July that was cancelled.

Staff recommendations
Staff recommends approval of the letting lists.

Notes/discussion

Commission action

Agenda item: 12

Staff person handling: Loran Frazier, Chief Engineer

Date/location: July 28, 2005 in Baker, MT

Item: **Certificates of completion**

Background
Attached are certificates of completion for April and May of 2005.

Summary

Month	*Original contract amount (monthly total)*	*Final payment amount (monthly total)*
April 2005	$57,713,901.00	$61,193,220.00
May 2005	$9,531,487.00	$9,365,991.00
Total	$67,245,388.00	$70,559,211.00

Staff recommendation
Staff recommends approval.

Notes/discussion

Commission action

Agenda item: 13

Staff person handling: Loran Frazier, Chief Engineer

Date/location: July 28, 2005 in Baker, MT

Item: **Project change orders**

Background
Attached are change orders for April and May 2005.

Summary

Month	Total
April 2005	$294,589.14
May 2005	$476,066.39
	$770,655.53

Staff recommendation
Staff recommends approval.

Notes/discussion

Commission action

Agenda item: 14a

Staff person handling: Loran Frazier

Date/location: July 28, 2005 in Baker, MT

Item: **Liquidated damages**
CM 5203(11);CM 5224(2); CM 5225(4)-Urban Seal & Cover – Great Falls

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Background
United Materials of Great Falls Inc of Great Falls, MT overran the contract time by 7 days. We wrote the contractor on April 15, 2005 of the overrun of contract time. They were informed they had 30 days in which to respond if they intended to request a waiver from the commission. They were informed that if a written reply was not received within 30 days, the liquidated damages would stand. As there was no response from the contractor, our recommendation is noted below.

Summary

Award date:	May 10, 2004	Proceed date:	June 7, 2004
Work began:	June 7, 2004	Work completed:	Oct 22, 2004
Contract time:	45 working days	Work extensions:	0 working days
Time used:	52 working days	overrun:	7 days
Contract amount:	$6,923		

Staff recommendations
We recommend assessing 7 days at $989 per day for a total of $6,923.

Notes/discussion

Commission action

Agenda item: 14b

Staff person handling: Loran Frazier

Date/location: July 28, 2005 in Baker, MT

Item: **Liquidated damages**
IM 90-7(85)340 – *1km E of Jct US89 – E*

Background
Riverside Contracting Inc of Missoula, MT overran the contract time by 3 days. We wrote the contractor on May 9, 2005 of the overrun of contract time. They were informed they had 30 days in which to respond if they intended to request a waiver from the Commission. They were informed that if a written reply was not received within 30 days, the liquidated damages would stand. As there was no response from the contractor, our recommendation is noted below.

Summary

Award date:	May 5, 2003	Proceed date:	June 2, 2003
Work began:	June 16, 2003	Work completed:	Sept 6, 2004
Contract time:	90 working days	Work extensions:	6 working days
Time used:	99 working days	Overrun:	3 days
Contract amount:	$4,083,989		

Staff recommendations
We recommend assessing three days at $1,781 per day for a total of $5,343.

Notes/discussion

Commission action

Agenda item: 15

Staff person handling: Loran Frazier

Date/location: July 28, 2005 in Baker, MT

Item: **STPS 323-1(16)25**
40 km South of Ekalaka – South(B)

Background
The *40 km South of Ekalaka – South* project was originally let on June 24, 2004 and the contract was awarded to Frost Construction out of Lovell, Wyoming. The contract was recently terminated per MDT specification 108.10.1 C.

108.10 Termination for Public Convenience
108.10.1 General. The Department may terminate the Contract in whole or part, whenever:

A. Work cannot proceed because of an Executive Order of the President with respect to the prosecution of war in the interest of national defense; or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources; or
B. Work cannot proceed because of a preliminary, special, or permanent restraining order of a court of competent jurisdiction where the issuance of such restraining order is primarily caused by acts or omissions of persons or agencies other than the Contractor; or
C. It is determined that termination is in the best interest of the Department.

Summary
The intent is to re-let the remainder of the contract through a special advertising and letting. The intent is to award the contract within one working day so that work can begin as soon as possible in order to get surfacing on the roadway prior to winter shutdown.

To expedite the award of the contract, the commission has the following options:

- ◇ Convene via special conference call
- ◇ The commission secretary can poll the commission by phone/e-mail
- ◇ The commission can delegate authority to Chief Engineer Loran Frazier to award the project

Notes/discussion

Commission action

Agenda item: 16

Staff person handling: Jim Lynch

Date/location: July 28, 2005 in Baker, MT

Item: **Commission discussion**

Discussion items

- *Update on the work of the Governor's office in regards to tribal relations*

- *Update on reauthorization of the federal transportation act*

- *Upcoming meetings/workshops of interest*

- *Update on Beartooth*

Agenda item: 17

Staff person handling: as needed

Date/location: July 28, 2005 in Baker, MT

Item: **Public comment**
